

10/590469

IAPI2 Rec'd PCT/PTO 23 AUG 2006
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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the **PATENT APPLICATION** of:

Britsch et al.

Application No.: Not Yet Known

Filed: Not Yet Known

For: DEVICE AND METHOD FOR
DETERMINING THE QUALITY OF
ILLUSTRATIONS OF PRINTING PLATES

Group: Not Yet Known

Examiner: Not Yet Known

Our File: SMB-PT181
(PC 05 022 M US)
Date: August 23, 2006

INFORMATION DISCLOSURE STATEMENT

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Further to Applicants' Duty of Disclosure pursuant to 37 C.F.R. §1.56, Applicants wish to bring to the Examiner's attention the material cited on the enclosed PTO-1449 form. Copies of the cited documents are enclosed.

Pursuant to 37 C.F.R. §1.98(a)(2)(ii), copies of the cited U.S. publications and/or patent documents have not been included.

The references cited in this Information Disclosure Statement were either listed in an International Search Report in the corresponding International Application or cited in the German Examination Report from the original priority application, copies enclosed. Of the non-English language references listed in the IDS, DE 37 36 629, the entire document, was cited in the International Search Report as Category X with

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respect to claim 1. DE 39 08 270 and DE 42 28 904 were cited in the German

Examination Report, a translation of the pertinent portions of which follows;

A)...

B) The dependent claims also fail based on the unpatentability of claim 1, from which they depend. Also the following is known based on the following publications:

for claims 2 and 4 from publication (1) [EP 0 825 022],
Figure 9, element 20;

for claim 6 from publication (1),
page 4, lines 3-7 and from publication (2) [DE 42 28 904],
column 2, line 51;

for claims 7, 8, 9 and 10 from
publication (2), Figure 1, elements 14, 9, 1 and column 2,
lines 64-68; and

for claims 12 and 13 from publication (1),
Figure 2.

For claims 3, 5 and 11, nothing is cited.

C) From publication (1), a process for determining the quality of imaging on a printing plate is known, in which reference marks on a printing plate are optically detected and wherein the measured values are compared with several tone value fields and several structured value fields which corresponds to many of the characteristics of the subject matter of claim 14. From publication (1) it is not explicitly noted, that the resulting measured values are compared with desired values and that the absolute measured values of the reference marks are stored and compared with desired values stored in an evaluation device. This would however be a known measure to a person skilled in the art of digital imaging. For example, such a process is shown in publication (2), column 1, line 66 - column 2, line 1. Accordingly, claim 14 is not patentable as lacking inventive activity.

D) The dependent claims 15-19 fall within the unpatentability of claim 14, from which they depend. Further, the following is known from the following publications:

for claim 15 from publication (2), column 1, line 66 -
column 2, line 1;

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for claim 16 from publication (3) [EP 0 518 559],
column 6, lines 45-53 and
for claim 17 from publication (2), Figure 1, element 14.
For claims 18 and 19, nothing is cited.

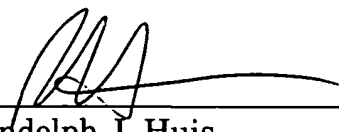
- E) From publication (1) a reference mark with different reference fields for determining the quality of imaging of printing plates is known, wherein the reference mark has a reference field combination made from several tone value fields and several structured fields (see Figure 2), which corresponds to all of the characteristics of the subject matter of claim 20. The proposed claim 20 is therefore lacking novelty in its subject matter and is not patentable.
- F) Dependent claims 21-26 fall with the unpatentability of claim 20, from which they depend. Further, the following is known from the following publications:
for claims 22, 23, 24 from publication (1), Figure 2 and from page 2, line 58;
for claims 25 and 26 from publication (4) [DE 39 08 270], the Abstract and from column 6, line 32.
- G) From publication (1), a printing plate with reference marks according to claim 20 [sic 27] is known (see page 2, line 6). The proposed claim 27 is therefore lacking novelty in its subject matter and not patentable.

It is respectfully requested that the Examiner consider these documents and return an initialed copy of the PTO-1449 form indicating his consideration of the cited materials.

Respectfully submitted,

Britsch et al.

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Sheet 1 of 1

FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary)				ATTY. DOCKET NO. SMB-PT181		SERIAL NO. 10/599469 Not Yet Known	
				APPLICANT Britsch et al.			
				FILING DATE Not Yet Known		GROUP Not Yet Known	

U.S. PATENT DOCUMENTS							
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	AA	4,665,824	05/1987	Greiner et al.			
	AB	5,696,588	12/1997	Abe Wertheim			

FOREIGN PATENT DOCUMENTS								
		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
	AC	37 36 629	05/1989	Germany				X
	AD	39 08 270	09/1989	Germany				X
	AE	0 518 559	12/1992	Europe			X	
	AF	42 28 904	03/1994	Germany				X
	AG	0 825 022	02/1998	Europe			X	
	AH	0 864 422	09/1998	Europe			X	

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)		

EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.